

## *EXHIBIT C*

## David Roy Southwell - 3/28/2019

<p style="text-align: right;">1</p> <p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA</p> <p>RYSTA LEONA SUSMAN, both individually and as Legal Guardian of SHANE ALLEN LOVELAND, et al., Plaintiffs,</p> <p style="text-align: right;">Case No. 8:18-cv-00127</p> <p>v. THE GOODYEAR TIRE &amp; RUBBER COMPANY,</p> <p style="text-align: center;">Defendant.</p> <hr style="width: 20%; margin: 20px auto;"/> <p style="text-align: center;">DEPOSITION OF DAVID ROY SOUTHWELL</p> <p style="text-align: center;">March 28, 2019</p> <p style="text-align: center;">9:00 a.m.</p> <p style="text-align: center;">Colville &amp; Dippel 1309 E. Broadway Boulevard Tucson, Arizona 85719</p> <p>EPIQ COURT REPORTING 240 West 35th Street 8th Floor New York, New York 10001 (212) 557-7400 Prepared by: Sandra Marruffo, R.P.R., AZ C.R. 50815</p>	<p style="text-align: right;">3</p> <p style="text-align: center;">INDEX OF EXAMINATION</p> <p>1</p> <p>2</p> <p>3 WITNESS: DAVID ROY SOUTHWELL</p> <p>4</p> <p>5 EXAMINATION PAGE</p> <p>6 By Mr. Bott 5, 184</p> <p>7 By Mr. Farrar 179</p> <p>8</p> <p>9</p> <p>10 INDEX TO EXHIBITS</p> <p>11 NO. DESCRIPTION PAGE</p> <p>12 EXHIBIT 1 Handwritten notes by David Southwell 8 in preparation for deposition</p> <p>13</p> <p>14 EXHIBIT 2 Images attached to David Southwell's 86 report, photographs and X-rays</p> <p>15 EXHIBIT 3 Diagram of tire drawn by David 122 Southwell</p> <p>16</p> <p>17 EXHIBIT 4 Photos 128</p> <p>18</p> <p>19 EXHIBIT 5 Photos of left rear tire 128</p> <p>20</p> <p>21 EXHIBIT 6 Photos of left front tire 128</p> <p>22</p> <p>23 EXHIBIT 7 David Southwell's Curriculum Vitae 176</p> <p>24</p> <p>25 EXHIBIT 8 David Southwell's Case List 176</p>
<p style="text-align: right;">2</p> <p>1 The deposition of DAVID ROY SOUTHWELL, 2 noticed by Edward S. Bott, Jr., was taken on March 28, 3 2019, from 9:00 a.m. to 2:33 p.m., at the Offices of 4 Colville &amp; Dippel, 1309 E. Broadway Boulevard, 5 Tucson, Arizona, 85719, before Sandra Marruffo, Arizona 6 certified reporter No. 50815.</p> <p>7</p> <p>8 APPEARANCES OF COUNSEL</p> <p>9</p> <p>10 Attorneys for The Goodyear Tire &amp; Rubber Company:</p> <p>11 GREENSFELDER, HEMKER &amp; GALE, P.C.</p> <p>12 BY: Edward S. Bott, Jr.</p> <p>13 10 South Broadway</p> <p>14 Suite 2000</p> <p>15 St. Louis, MO 63102</p> <p>16 (314) 241-9090</p> <p>17 esb@greensfelder.com</p> <p>18</p> <p>19 Attorneys for the Plaintiffs:</p> <p>20 KASTER, LYNCH, FARRAR &amp; BALL, LLP</p> <p>21 BY: Kyle W. Farrar</p> <p>22 1010 Lamar</p> <p>23 Suite 1600</p> <p>24 Houston, TX 77002</p> <p>25 kyle@fbtrial.com</p> <p>ALSO PRESENT: Christian Teare, Videographer</p>	<p style="text-align: right;">4</p> <p style="text-align: center;">TRANSCRIPT OF DEPOSITION</p> <p style="text-align: center;">* * *</p> <p>1</p> <p>2</p> <p>3 THE VIDEOGRAPHER: Good morning. We are</p> <p>4 on the record. This is Disk No. 1 in the deposition of</p> <p>5 David Southwell taken in the matter of Susman, et al.,</p> <p>6 versus Goodyear Tire &amp; Rubber Company. It's in the</p> <p>7 U.S. District Court, District of Nebraska. It's</p> <p>8 Case 8:18-cv-00127. Today's date is Thursday,</p> <p>9 March 28th, 2019, and the time is 9:00 a.m.</p> <p>10 My name's Christian Teare, a legal video</p> <p>11 specialist with Epiq Court Reporting.</p> <p>12 This deposition is taking place at</p> <p>13 1309 East Broadway Boulevard in Tucson, Arizona.</p> <p>14 The certified shorthand reporter is Sandy</p> <p>15 Marruffo with Epiq Court Reporting located at 311 South</p> <p>16 Wacker Drive, Suite 350, in Chicago, Illinois.</p> <p>17 If Counsel would please state their</p> <p>18 appearances, the reporter will swear in the witness.</p> <p>19 MR. FARRAR: Kyle Farrar for the</p> <p>20 plaintiffs.</p> <p>21 MR. BOTT: Ed Bott for Goodyear.</p> <p>22 * * *</p> <p>23</p> <p>24</p> <p>25</p>

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<p style="text-align: right;">105</p> <p>1 understand that he inspected the tires at some point, but  2 that's -- I don't have any specific --  3 <b>Q. Right. And I know Mr. Daws looked at them in  4 the field, I think, in Nebraska, and then I think he took  5 possession of them and -- and I notice that some  6 documents from Mr. Daws' inspection were part of your  7 file.</b>  8 A. Yes.  9 <b>Q. Do you rely on what Mr. Daws did in any way as  10 the basis for your opinions?</b>  11 A. No.  12 <b>Q. All right. So I want to move on, then, to  13 another area, and that is kind of the failure mode in the  14 case.</b>  15 A. Yes.  16 <b>Q. Is -- the disablement in this tire on the date  17 of this accident started from a localized failure roughly  18 the 330 to 0 degrees on the tire, correct?</b>  19 A. I think that's a reasonable --  20 <b>Q. All right.</b>  21 A. -- statement.  22 <b>Q. And as you explain on page 1 -- excuse me,  23 page 6 of your report, there you actually pin it at  24 340 degrees as the point of initiation?</b>  25 A. Approximately 340, that's right.</p>	<p style="text-align: right;">107</p> <p>1 A. Correct.  2 <b>Q. But where is it stated on page 5? I missed  3 that.</b>  4 A. The second-to-last paragraph.  5 <b>Q. There we go. Thank you.</b>  6 As the tire, then, proceeded in and out of  7 the footprint, the -- the tread in belt 1 would be pulled  8 back and separated from belt 2?  9 A. Correct.  10 <b>Q. At 74 miles an hour, based upon what you  11 believe the speed to have been from the -- the black box  12 data --</b>  13 I think that's where you got it from.  14 A. Yes.  15 <b>Q. -- how many revolutions per second is that tire  16 spinning?</b>  17 A. I haven't done that calculation.  18 <b>Q. Okay. Just generally, at 60, it's about what,  19 12 to 13 or do you know? This size tire, it may be a  20 little different, I don't know.</b>  21 A. Yeah, I'd have to do the calculation.  22 <b>Q. Fair enough. And then the -- the part of the  23 tread in belt 1 that separated was that area from roughly  24 the 340-0 degrees around to 150?</b>  25 A. Approximately, yes.</p>
<p style="text-align: right;">106</p> <p>1 <b>Q. All right. And the -- you -- you state in your  2 sequence of the component failure, the diagram you have  3 across the middle of that page, "The detachment  4 commences, second belt cords are broken adjacent the  5 initiation point. The first belt and body ply remain  6 intact."</b>  7 What you're saying there is that at the  8 initiation point, roughly 340 degrees, the belt cords  9 were broken adjacent to that initiation point?  10 A. Yes, at the initiation.  11 <b>Q. At the initiation point?</b>  12 A. Yes.  13 <b>Q. Okay. And so then the -- the directional  14 rotation of the tires, we look at this on the report,  15 would have been from the left of the page to the -- the  16 right?</b>  17 A. That's correct.  18 <b>Q. And as mounted on this vehicle, was the  19 opposite serial side on the outside of the tire or the  20 inside of the tire?</b>  21 A. Serial number side outwards.  22 <b>Q. Serial side out?</b>  23 A. Yes.  24 <b>Q. Okay. And you refer -- you obtain that  25 information from page 5?</b></p>	<p style="text-align: right;">108</p> <p>1 <b>Q. All right. Why was this not a complete tread  2 detachment and only a partial tread detachment, if you  3 have any thoughts on that?</b>  4 A. It seems to me that there was a -- a  5 preexisting separation at around 150, so there was  6 effectively a -- a weaker point there, which allowed  7 the -- the detaching tread and belt to break away and --  8 and once it had broken away, then the remainder of the  9 tread and belt stayed in -- intact or stayed attached to  10 the tire.  11 <b>Q. And the preexisting separation you're talking  12 about is the one at -- at 150 degrees that we've talked  13 about at some length here today?</b>  14 A. That's correct.  15 <b>Q. All right. And that particular separation is  16 photographed by you on what number here in Exhibit 2?</b>  17 A. Fifty-three.  18 <b>Q. Okay. 53. The -- one second.</b>  19 The -- other than the -- the conclusion  20 you've reached that there was this preexisting  21 separation, what other potential reasons could there be  22 of why the -- the separation, the detachment ended at  23 that position as opposed to just continuing around the  24 tire?  25 A. Well, as the -- as the tire rotates with the</p>

27 (Pages 105 to 108)